

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

JASON SCOTT RATLIFF,

Plaintiff,

v.

CIVIL ACTION NO. 3:24-00168

THE CITY OF HUNTINGTON, et al.,

Defendants.

ORDER

Pursuant to 28 U.S.C. § 636(b)(1)(B), this action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition. On April 23, 2024, the Magistrate Judge submitted her proposed findings and recommends that Plaintiff Jason Scott Ratliff's application to proceed *in forma pauperis* (ECF No. 1) be denied as moot and that this case be dismissed and removed from the docket of the Court. *See PF&R*, at 1, ECF No. 4. On May 1, 2024, Plaintiff filed *pro se* letter-form objections (ECF No. 5) to the Proposed Findings and Recommendations. On May 30, 2024, Plaintiff also filed a *pro se* letter-form motion requesting that he be permitted to add the United States of America as a defendant, be granted an immediate jury trial, and be granted additional time to research and gather evidence that he is a victim of energy-based weapons and electronic torture. ECF No. 6. For the following reasons, the Court **DENIES** Plaintiff's objections and motion.

As more fully explained in the Findings and Recommendations, Plaintiff generally makes two interrelated claims in his Complaint. First, he asserts his brother died by excessive force employed by members of the Huntington, West Virginia Police Department. Second, he alleges that, when he posted about his brother's death, he was targeted for torture with electromagnetic pulses by various law enforcement agents. Upon consideration of Plaintiff's allegations, the Magistrate Judge found that Plaintiff could not pursue claims on behalf of his brother's estate "because he is not the legal representative of the estate." *PF&R*, at 4.¹ Additionally, the Magistrate Judge found Plaintiff's allegations that he is being tortured "with invisible electromagnetic pulses are wholly conclusory and devoid of any supporting factual allegations." *Id.* at 6. Likewise, "Plaintiff's claims of harassment, stalking, and torture by Defendants and others are factually unsupported and frivolous." *Id.* at 7.

In his objections, Plaintiff requests the Court remove the Magistrate Judge from this action for being personally involved with Defendants and for being biased against him. He also attached cellphone screenshots he states demonstrate that an agent contacted and paid a boy to follow and photograph him to target him with weapons. He further alleges that the some of the screenshots are missing because the police used its influence over the store that printed the pictures to omit the messages that contained the agent's name.

¹As recognized by the Magistrate Judge, a prior case was filed by the estate's representative, this Court granted summary judgment in favor of the defendants in that case, and the decision was affirmed by the Fourth Circuit Court of Appeals. *See Maynard v. City of Huntington*, Civ. Act. No. 3:09-00101, 2010 WL 696746(S.D. W. Va. Feb. 25, 2010), *aff'd*, 399 F. App'x 782 (4th Cir. 2010).

Upon consideration, the Court finds Plaintiff's objections without merit. First, the Magistrate Judge has acted in a fair and impartial manner with no bias or animus to Plaintiff or his claims. Second, the Court agrees with the Magistrate Judge that Plaintiff's allegation that he is being targeted with electromagnetic energy is factually unsupported and frivolous.

Accordingly, the Court accepts and incorporates herein the Findings and Recommendations of the Magistrate Judge and **DENIES AS MOOT** Plaintiff's application to proceed *in forma pauperis* (ECF No. 1), **DISMISSES** this case, and **ORDERS** it removed from the docket of the Court. Having reached this conclusion, the Court further **DENIES AS MOOT** Plaintiff's *pro se* letter-form motion requesting that he be permitted to add the United States of America as a defendant, be granted an immediate jury trial, and be granted additional time to research and gather evidence that he is a victim of energy-based weapons and electronic torture. ECF No. 6.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: July 17, 2024

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE